

From: William McNary
To: Mike Powell, Kevin Martin, Kathleen Abernathy, Michael Copps, Commissioner Adelstein
Date: Thu, Feb 13, 2003 4:16 PM
Subject: Response on UNE-P

February 13, 2003

Chairman Michael K. Powell
Commissioners Abernathy, Adelstein, Copps, and Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Powell and Commissioners Abernathy, Adelstein, Copps and Martin:

Almost seven years after Congress passed the groundbreaking Telecommunication Act, the promise of real local phone competition is finally starting to become a reality for consumers in Illinois.

According to the most recent data released by your agency, new market entrants provide service to more than 17 percent of local telephone lines in Illinois, up from five percent in December 1999. As a result, tens of thousands of Illinois residents are now benefiting from greater choice and better pricing in local phone service. SBC recently lowered and simplified its local rates in Illinois, in response to increased competition.

However, just as competition begins to take hold, we understand that the Commission is considering a proposal that would significantly scale back or even eliminate the very regulations - known as Unbundled Network Element Platform, or UNE-P - that have played a critical role in promoting the recent surge in local phone competition.

Were the Commission to initiate such a major reversal of policy, all the progress that has been made in Illinois to bring real local phone competition to residential markets would be reversed. Once again, consumers would be stuck with little or no choice, and the savings and service improvements that accompany increased competition would quickly evaporate.

Rather than adopting policies that would only serve to undermine telecom competition, we urge the Commission to demonstrate its commitment to the interests of consumers, and the future of competition, by reaffirming your support for UNE-P.

Indeed, according to a report issued recently by the National Association of State Consumer Advocates, the continued existence of UNE-P is vital to the future of local competition in local markets across the country.

The report found that, in many markets, the vast majority of residential and small business consumers who have switched their local phone service to a new competitor are served by market entrants who rely on the UNE-P system. In Texas, for example, competitors that depend on UNE-P provide service to 77 percent of switched customers. Without the current UNE-P structure, the report concludes, "it is unlikely that even the limited amount of residential competition that exists today could survive."

It is also critical that the Commission preserve the position of state regulators in maintaining and promoting competition in our telecom markets. State utility regulators like the Illinois Commerce Commission have played a vital part in opening local telephone markets across the country up to competition, and we believe that they are best placed to make decisions that impact local markets.

For local phone competition to continue to develop and flourish, state authorities must continue to have the flexibility to carry out their Congressionally mandated role of keeping local telephone markets open,

and setting fair UNE-P prices.

Moreover, the Commission's preliminary decision to treat broadband service as an "information service" is flawed. Without open, non-discriminatory access to broadband networks, consumers will not realized the full potential of the Internet. Recent FCC decisions on broadband access policy threaten to inhibit innovation ad consumer choice in the high-speed Internet marketplace.

The Federal Communications Commission has both an obligation and a responsibility to protect the public interest, and promote the interests of consumers. If the FCC opts to abandon the pro-competition UNE-P and broadband framework established by the Telecom Act, just as it begins to deliver real savings and benefits to ordinary consumers, it will have failed on both counts.

We thank you for your consideration of these important issues

Sincerely,

Citizen ActionIllinois
Coalition for Consumer Rights
Project NOW- Rock Island
Protestantsfor the Common Good
Work, Welfare and Families

William McNary
Co-Director, Citizen ActionIllinois
28 E Jackson Blvd. Suite 605
Chicago, IL 60604
p: 312-427-2114 f: 312-427-2307
mcnary@citizenaction-il.org

From: David S. Isenberg
To: Mike Powell, Kathleen Abernathy, Michael Copps, Kevin Martin, Commissioner Adelstein
Date: Thu, Feb 13, 2003 8:33 AM
Subject: Corrected version: Preserving line sharing

The Honorable Michael K. Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20054

A corrected version of my February 6, 2003 letter
(Corrections made primarily to last paragraph.)

Re: Triennial Review of the Commission's Unbundling Rules
CC Docket Nos. 96-98, 98-147, 01-338
Subject: Line Sharing

Dear Chairman Powell,

I'm writing to you as a U.S. citizen, beholden to ILEC, CLEC, ISP, cableco, equipment manufacturer, or system integrator, who would like to see the benefits of technology and architecture improvements, such as those reflected in Moore's Law and The End-to-End Principle, realized for the benefit of all U.S. citizens.

Recently, I co-signed a letter asking you to forbear from any FCC action that would slow down what we see as the slow-motion failure of the ILECs. Now, before the Triennial Review comment period ends, I'd like to address another topic that came up in a recent discussion with your Special Policy Advisor, Jon Cody.

The issue is line sharing. I sympathize with competitive DSL providers who need access to ILEC local loops, but the issue is much, much larger. Fiber-to-the-home (FTTH) will soon be common in the United States; while the absolute number of FTTH homes is small, it grew at over 100% last year and this year.

Each fiber affords DC-to-daylight bandwidth. With currently available technology, a single fiber can carry 40 gigabits on each of 40 wavelengths; theoretically, the entire busy hour throughput of conventional U.S. telephony could be carried on two fibers. Looking at fiber capacity another way, 100 Mbit/s FTTH can be installed for a capital expenditure of US\$600 to \$3000 per home. Within a few years gigabit, and then 10 gigabit, fiber interfaces will be equally affordable.

In other words, where fiber exists, there is a lot to share.

Once fiber exists in a neighborhood, there is no economic

CC: Jon Cody, Robert Pepper, Robert Cannon

From: Gerry Wiecezra
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 9:15 AM
Subject: Line Sharing

Commissioner Abernathy,

I wish to express my concern over the latest news relating to line sharing and your impending decision

If it were not for the 1996 telecom act we would not have been afforded the options that ~~are/were~~ available for broadband internet connectivity. Under no circumstances should line sharing be eliminated nor costs be added to a line that is already being paid for relating to the lower frequency spectrum (voice).

While this is my fundamental concern, I am also concerned relating to rumors that you will put in place rules which will allow the RBOC's to put fiber in place and NOT allow competition to utilize it. Obviously this is the future of our interconnectivity and while it's not of major concern today, it will be 10-20 years from now. Competition should not be closed out from the last mile to a customer no matter what the connectivity is.

Keep rules in place or extend them to allow the public to have the broadest range of options of providers for their voice and data services.

Sincerely,

Gerry Wiecezra, P.E.
Stargate Automation
Michigan

From: Glaser, Garry S.
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 2:54 AM
Subject: DSL Line Sharing

Ms. Abernathy,

I'm sending you this message to urge you and the other commissioners to preserve line sharing. Removing or increasing the cost of sharing an existing copper line will only increase consumer costs and further reduce the number of choices.

Example:

Here at the Community Hospital of the Monterey Peninsula (CHOMP) we are in the process of phasing out 100's of private Frame Relay, ISDN, and dialup circuits and replacing them with DSL and VPN services. These existing private circuits provide remote doctor offices and clinics with CHOMP services such as email and patient care management,

To date we have converted about a dozen remote sites to DSL and in all cases we have been forced to use SBC for DSL provisioning. I am continuously checking other DSL providers (with better rates) for availability as we convert these remote sites but no alternative providers are available YET. We would prefer to use multiple DSL providers not only because of price but for redundancy. If one provider has network issues, it does not affect all our sites.

The lack of multi-provider DSL availability may be because of remote terminal access or small market issues but if forced line sharing is terminated, CHOMP will be stuck with SBC. I can't believe this the outcome you are striving for.

Please preserve line sharing!

Thanks and best regards,

Garry Glaser

Confidentiality Notice:

This is a transmission from Community Hospital of the Monterey Peninsula. This message and any attached documents may be confidential and contain information protected by state and federal medical privacy statutes. They are intended only for the use of the addressee. If you are not the intended recipient, any disclosure, copying, or distribution of this information is strictly prohibited. If you received this transmission in error, please accept our apologies and notify the sender.

Thank you.

From: Jeff Bower
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 8:44 AM
Subject: Linesharing

Please keep linesharing available to consumers of CLEC DSL. They are the ones that stand to lose if you remove their access to the high-frequency portion of the loop.

Regards,

Jeff Bower

From: Karalyn Shima
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 9:45 AM
Subject: PLEASE SAVE THE UNE-PLATFORM

Good morning Chairman Abernathy,

Thank you for your time and consideration in reading the very important attached letter regarding the availability of the UNE-P.

Karalyn Shima
Marketing Representative
Access One, Inc.
P: 312 441 1000 x936
F: 312 441 1010
www.AccessOneInc.com

From: Kim Smith
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 10:00 AM
Subject: [Date]

From: Levi Wallach
To: Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner
Adelstein
Date: Thu, Feb 13, 2003 12:22 AM
Subject: Keep line sharing as is

Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy

Thank You,

Levi Wallach

From: Mark Cooper
To: Mike Powell, Kevin Martin, Kathleen Abernathy, Commissioner Adelstein, Michael Copps
Date: Thu, Feb 13, 2003 9:58 AM
Subject: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers

February 12, 2003

Chairman Michael K. Powell
Commissioner Kevin J. Martin
Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, Notice of Proposed Rulemaking, CC Docket No. 01-338

Dear Commissioners:

We the undersigned consumer organizations write to express our support for the approach to UNE issues summarized in the February 6 ex parte filing submitted by NARUC. We believe that this approach represents a reasonable framework for addressing the availability of unbundled network elements while preserving an environment that promotes competition and protects consumers.

The benefits that consumers are just now beginning to see in the telecommunications marketplace have come about largely due to the diligence of state utility regulators who, in recent years have worked hard to implement the 1996 Telecommunications Act. Our support of the NARUC framework emphasizes our view that the FCC should not restrict the ability of state regulators to fulfill their Congressionally assigned role of keeping local markets open and wholesale prices fair and reasonable. Working together the FCC and state regulators can protect and enhance competition for the benefit of consumers.

Sincerely,

Consumer Federation of America
Consumers Union
Media Access Project

From: Martin Pedersen
To: KathleenAbernathy
Date: Thu, Feb 13,2003 1:25 AM
Subject: Line sharing

Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy

Thank You

Best regards

Martin Pedersen

From: MLSLLC
To: KathleenAbernathy
Date: Thu, Feb 13,2003 10:12 AM
Subject: UNE-P

Commissioner:

As a small businessman, I urge you to keep line sharing as is

I know from personal experience that eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy.

Marty L. Shobert
Manager
MLS, LLC Investment Management

From: Rick Leach
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 7:26 AM
Subject: linesharing

Please keep line sharing as is

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key ~~benefits~~ that can help the economy

Thank You

From: Scott Sutton
To: Mike Powell, KathleenAbernathy, Michael Copps, KM KJMWEB, Commissioner
Adelstein
Date: Thu, Feb 13, 2003 2:16 AM
Subject: Please keep line sharing as is.

Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy.

Thank You,

Scott Sutton

Do you Yahoo!?
Yahoo! Shopping - Send Flowers for Valentine's Day

From: Steve Brown
To: Mike Powell, Kathleen Abernathy, Michael Copps, KM KJMWEB, Commissioner Adelstein
Date: Thu, Feb 13, 2003 9:40 AM
Subject: Line Sharing

Please keep line sharing as is

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

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Thank You

Steve Brown

Do you Yahoo!?
Yahoo! Shopping - Send Flowers for Valentine's Day

From: Tanya Dupuis
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 7:24 AM
Subject: linesharing

Please keep line sharing as is.

Eliminating line sharing will lead to less choice and competition, and higher prices for consumers and small business for broadband services.

It also would slow the penetration of broadband services across the country delaying key benefits that can help the economy

Thank You

Impossible is a word to be found only in the dictionary of fools
--Unknown

From: elliotthanet@lycos.com
To: Michael Copps
Date: Thu, Feb 13, 2003 12:26 PM
Subject: Consider The Needs Of Children!

FCC Commissioner Michael J. Copps

Dear FCC Commissioner Michael J. Copps,

I urge the FCC to consider the distinct needs of children in its upcoming rulemaking on broadcast ownership rules

Children consume almost five and a half hours of media per day. Research has shown that media, particularly television, play a unique and powerful role in the development of children.

The relaxation of media ownership rules will result in significantly less original programming for children. Relaxation also will reduce competition, potentially stifling innovation and increasing commercialism in children's programming.

Before making any regulatory changes to existing media ownership rules, the FCC must consider how children will be affected.

Sincerely,

janet elliot
109 north vernon st
princeton, illinois 61356

cc:
Representative Jerry Weller
Senator Richard Durbin
Senator Peter Fikgerald

From: elliotjanet@lycos.com
To: Commissioner Adelstein
Date: Thu. Feb 13, 2003 12:26 PM
Subject: Consider The Needs Of Children!

FCC Commissioner Jonathan S. Adelstein

Dear FCC Commissioner Jonathan S. Adelstein,

I urge the FCC to consider the distinct needs of children in its upcoming rulemaking on broadcast ownership rules.

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Before making any regulatory changes to existing media ownership rules, the FCC must consider how children will be affected.

Sincerely,

janet elliot
109 north vernon st
princeton, Illinois 61356

cc:
Representative Jerry Weller
Senator Richard Durbin
Senator Peter Fitzgerald

From: Amber Beres
To: Mike Powell
Date: Thu, Feb 13, 2003 9:24 AM
Subject: Please Save UNE-Platform



February 5th, 2003

Dear Chairman Michael Powell:

I ask your support for the continued availability of the "WE-Platform."

My company, Access One, offers local telephone service in the SBC territories. The company has achieved increasing success largely because it utilizes the combination of "unbundled network elements" – the UNE-Platform - to serve customers. It is absolutely critical that we have continued access to the WE-Platform to remain competitive.

Unfortunately, the Regional Bell Operating Companies have launched a full-scale attack on the UNE-Platform, realizing it is a major threat to their continued market dominance. Their strategy is to impose certain restrictions on individual network elements that would destroy the competitive value of the UNE-Platform. If the RBOCs succeed, it will all but end any chance for consumers to enjoy the benefits of meaningful competition in local phone service.

Please oppose any effort at the Federal Communications Commission or at state agencies to limit the availability of the UNE-Platform. The UNE-Platform should be firmly and permanently established as a viable service option for competitive telecoin carriers.

Thank you very much for your time and attention to this important matter.

Sincerely,

Amber Beres
Technical Service Representative
Access One Incorporated

From: Andre
To: Kathleen Abernathy
Date: Thu, Feb 13, 2003 8:31 AM
Subject: Line sharing - please preserve all competitor rights to copper and existing RTs

Dear Commissioner Abernathy,

Please preserve cheap competitor access to existing copper lines and RTs!

The expansion of broadband depends on reasonable prices to the consumer, which in turn hinges on the preservation of competition - not just inter-modal competition (i.e., DSL vs. Cable), but intra-modal competition (i.e., DSL vs. DSL as well). This is especially true because in many places, there is no choice - only DSL OR Cable is available.

Unless you preserve competitors' access, at very reasonable prices (determined by local regulators who are in the best position to judge), to the copper lines to consumers' homes, you will in effect be creating "monopoly pools" across the country. And the RBOC and cable monopolists in these areas will cross subsidize their monopoly profits into areas where they face competition, with the effect of killing off their competition.

I have a masters' degree in economics, but it doesn't take anywhere near that to come to this rather obvious conclusion. Let's call a spade a spade.

Please preserve line sharing and access to EXISTING RTs at rates determined by local regulators. If RBOCs want to create new facilities to serve new markets, I suppose they could be granted exclusivity to those new investments - but they should not have any right to preferred or sole access to the existing network - it was paid for long ago by the taxpayers.

Thank you for your attention on this matter.

Sincerely,

Andre Williamson
Silver Spring, MD
3015852056

From: Andre
To: Mike Powell
Date: Thu, Feb 13, 2003 8:31 AM
Subject: Line sharing - please preserve all competitor rights to copper and existing RTs

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Thank you for your attention on this matter.

Sincerely,

Andre Williamson
Silver Spring, MD
301 585 2056

From: Wilburn Carter
To: Wilburn Carter
Date: Thu, Feb 13, 2003 2:41 PM
Subject: Proposed FCC Changes Cost Consumers

Message sent to the following recipients:

Senator Warner
Senator Allen
Representative Goodlatte
Message text follows:

Wilburn Carter
113 Lyon Lane
Forest, , VA 24551-2317

February 13, 2003

[recipient address was inserted here]

[recipient name was inserted here].

The Federal Communications Commission is considering taking actions that will restrict consumer choice by deregulating local phone service.

Millions of Americans like me could have their phone service threatened if the local phone companies aren't required to allow competitors access to the market. I'm also concerned about the Commission's move to relieve all broadband Internet access facilities of open access obligations.

Both of these key decisions will limit my choices as a consumer by lessening competition, diminishing cost savings and threatening consumer protections. As a constituent, I urge you to support competition and open access for local phone service.

Sincerely,

Wilburn Carter

From: John Erb
To: Mike Powell, Kathleen Abernathy, Michael Copps. KM KJMWEB, Commissioner
Adelstein
Date: Thu, Feb 13, 2003 2:08 PM
Subject: ILEC Bells

I am stunned by the reports that you are considering giving in to the ILECs based on their promise that they alone can make investments in high speed internet access.

On what basis is this at all believable? Their track record is pathetic. They are only offering DSL now because CLEC competitors began to offer it.

Please preserve line sharing and market competition for the ILECs

John Erb